

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-07-00612 JF
)	
Plaintiff,)	[PROPOSED] ORDER REFERRING
)	DEFENDANT TO BUREAU OF
vs.)	PRISONS FOR MENTAL EVALUATION
)	PURSUANT TO 18 U.S.C. §§ 4241 AND
ABEL LAMAS PACHECO,)	4247
)	
Defendant.)	
_____)	

Defendant, Abel Lamas Pacheco, appeared before the Court on January 16, 2008, at which time defense counsel declared a doubt regarding the defendant's competence to proceed. The Court stated that based on its own observations regarding the defendant, a mental examination appeared warranted.


Accordingly, pursuant to 18 U.S.C. §§ 4241 (a) and (b), the Court HEREBY ORDERS that the defendant be designated to a suitable facility within the Bureau of Prisons, to be evaluated with respect to his competence. The defendant shall promptly be transported to said facility. The Court further orders that a report be prepared and filed with the Court pursuant to 18 U.S.C. §§ 4247 (b) and (c).

A further status hearing is set in this matter for May 14, 2008. In the event that the

1 evaluation has not been completed by that date, the parties shall so advise the Court.

2 IT IS FURTHER ORDERED THAT the period of time from February 13, 2008, shall be
3 excluded from the period of time within which trial must commence under the Speedy Trial Act,
4 18 U.S.C. § 3161 et seq, because time is needed for the defendant's mental examination.

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7 Dated: 3/5/08

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9 JEREMY FOGEL
10 United States District Judge
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